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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number Of Pages In This Submission

6+ 13REFS

Applicati n Number

10/010,368

Filing Date

November 5, 2001

First Named Inventor

Roger O. WILLIAMS

Group Art Unit

To Be Assigned

Examiner Name

To Be Assigned

Attorney Docket No.

514542000900

ENCLOSURES (check all that apply)

☐ Fee Transmittal Form

☐ Fee Attached

☐ Amendment / Reply

☐ After Final

☐ Affidavits/declarations

☐ Extension of Time Request

☐ Express Abandonment Request

☒ Information Disclosure Statement - 3 pages

☐ Certified Copy of Priority Document(s)

☐ Response to Missing Parts/
Incomplete Application

☐ Response to Missing Parts
under 37 CFR 1.52 or 1.53

☐ Assignment Papers
(for an Application)

☐ Drawing(s)

☐ Licensing-related Papers

☐ Petition

☐ Petition to Convert to a
Provisional Application

☐ Power of Attorney, Revocation
Change of Correspondence Address

☐ Terminal Disclaimer

☐ Request for Refund

☐ CD, Number of CD(s) _____

☐ After Allowance Communication to
Group

☐ Appeal Communication to Board of
Appeals and Interferences

☐ Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)

☐ Proprietary Information

☐ Status Letter

☒ Other Enclosure(s) (please identify
below):

1. Form PTO -1449 + copy - 2 pages
2. Thirteen (13) References
3. Return postcard

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Firm

or

Individual Name

Morrison & Foerster LLP, 755 Page Mill Road, Palo Alto, California 94304-1018

Richard R. Batt (Registration No. 43,485)

Signature

Date

January 3, 2002

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on January 3, 2002.

Carolyn McKubre

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PATENT
Docket No. 514542000900

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

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Carolyn McKubre

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Roger O. WILLIAMS et al.

Serial No.: 10/010,366

Filing Date: November 05, 2001

For: APPARATUS AND METHOD FOR
CONTROLLING THE FREE SURFACE
OF LIQUID IN A WELL PLATE

Examiner: To Be Assigned

Group Art Unit: To Be Assigned

INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 AND § 1.98

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Copies of the documents are also submitted herewith. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☒ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of * is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below; accordingly, no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a check in the amount of * is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided below and a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.


The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for

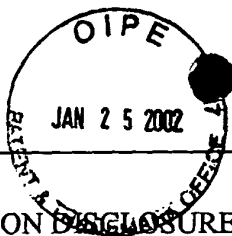
any required relief including extensions of time and authorize the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **514542000900**. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: January 3, 2002

Respectfully submitted,

By: 
Richard R. Batt
Registration No. 43,485

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Form PTO-1449

INFORMATION DISCLOSURE CITATION
IN AN APPLICATION

(Use several sheets if necessary)

Docket Number 514542000900

Application Number 10/010,366

Applicant

Roger O. WILLIAMS et al.

Filing Date November 5, 2001

Group Art Unit To Be Assigned

Mailing Date January 3, 2002

U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	01/12/1988	4,719,476	Elrod et al.			
	2.	01/12/1988	4,719,480	Elrod et al.			
	3.	05/31/1988	4,748,461	Elrod			
	4.	07/02/1991	5,028,937	Khuri-Yakub et al.			
	5.	08/25/1992	5,142,307	Elrod et al.			
	6.	06/01/1993	5,216,451	Rawson et al.			
	7.	06/27/1995	5,428,381	Hadimioglu et al.			
	8.	11/11/1997	5,686,945	Quate et al.			
	9.	09/15/1998	5,808,636	Stearns			

FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES NO
	10.	11/16/2000	WO 00/67907 A2, A3	WIPO			

OTHER DOCUMENTS

(including author, title, Date, Pertinent Pages, Etc.)

Examiner Initials	Ref. No.	Title
	11.	"Biochemicals and Reagents For Life Science Research," Sigma, Multiwell Plates, pg. 2349-2350.
	12.	Greiner TM Multiwell Plates, http://www.sigma-aldrich.com/saws.nsf/pages/sa_es_dd_multiwell_index?OpenDocument . pp. 1-3.
	13.	Microplate: See Microtiter plate, microtitre plate. Microtiter plate, microtitre plate: Sample holding device used in combinatorial chemistry and high throughput screening for cloning of PCR products and construction of cDNA libraries in expression vectors. Comes in 96, 384, 1536 and 3456-well formats. Related term sample. Multiwell plate: See microtiter plate, microtitre plate. (pg. 11 and 13) http://www.genomicglossaries.com/content/printpage.asp?REF=.../drug_discovery_gloss.as

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.